

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT KOLAR, Individually and as Representative of
the Rite Aid Corporation Investment Opportunity Plan and
its Participants and Beneficiaries,

Plaintiff,

v.

RITE AID CORPORATION, FRANKLYN M.
BERGONZI, THOMAS F. FOLEY, RICHARD
VERMECKY, ROBERT R. SOUDER, DEAN DELL
ANTONIA, EDWIN L. LILJA, PRUDENTIAL
INSURANCE COMPANY OF AMERICA,
PRUDENTIAL SECURITIES, INC., PRUDENTIAL
RETIREMENT SERVICES, INC., PRUDENTIAL
INVESTMENT MANAGEMENT SERVICES, LLC,
THE ROHRBACH GROUP and JOHN DOES number
ONE through TEN,

Defendants.

CIVIL ACTION
NO. 01-CV-1229

F.R.C.P. Rule 41(a)(2)
So Ordered Dismissal

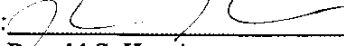
IT IS HEREBY STIPULATED AND AGREED, by and among undersigned
counsel that:

1) Plaintiff Robert Kolar, *et al.*, ("Plaintiffs"), through his undersigned counsel,
hereby agrees to voluntarily dismiss this action with prejudice, pursuant to Rule 41(a)(2) of the
Federal Rules of Civil Procedure, as against Prudential Investment Management Services, LLC
("PIMS").

2) Plaintiffs' undersigned counsel hereby agree to be responsible for docketing this stipulation and shall upon such docketing promptly provide undersigned counsel for Prudential Investment Management Services, LLC., with a file stamped copy.

Dated: San Francisco, CA
October 16, 2002

LINER YANKELEVITZ SUNSHINE & REGENSTREIF
LLP

By: 


Ronald S. Kravitz
601 Montgomery, Suite 900
San Francisco, CA 94111
(415) 438-4321

Randall J. Sunshine
3130 Wilshire Boulevard
Santa Monica, CA 90403
(310) 453-5900

Attorneys for Plaintiffs

Dated: New York, New York
October 11, 2002

MILBANK, TWEED, HADLEY & McCLOY LLP

By: 

Andrew E. Tomback
One Chase Manhattan Plaza
New York, New York 10005
(212) 530-5000

*Attorneys for Defendant Prudential Investment
Management Services, LLC.*

SO ORDERED, on October 21, 2002:



Hon. Stewart Dalzell
United States District Court Judge

NY2 #4477334